

ORIGINAL

Decision No. 87479 June 21, 1977

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application)
of FRANK'S TRUCKING for authority)
to depart from the minimum rates,)
rules and regulations of Minimum)
Rate Tariff 2, pursuant to the)
provisions of Section 3666 of)
the Public Utilities Code for)
transportation for CONTINENTAL)
CAN COMPANY, INC.)

Application No. 56588

And Related Matter)

Application No. 57126

SUPPLEMENTAL OPINION AND ORDER

Decision 87182 in these proceedings authorized Frank's Trucking to deviate from the provisions of Minimum Rate Tariff 2 in connection with the transportation of various kinds of tin plate and can ends for: (1) Continental Can Company, Inc., from Pittsburg to Lodi, Sacramento, San Jose and San Leandro and (2) Del Monte Corporation from Pittsburg to Oakland.

It has come to the Commission's attention that applicant had been paying its subhaulers 85 percent of the rates authorized by Decision 86565 in connection with the transportation of the above commodities but that the modified authority granted by Decision 87182 for this transportation does not provide for such payment to subhaulers.

In the circumstances, the Commission finds that the necessary amendment should be made. A public hearing is not necessary. The Commission concludes that Decision 87182 should be amended accordingly and the effective date of this order should be the date hereof because there is an immediate need for this relief.

IT IS ORDERED that:

1. Decision 87182 is hereby amended by substituting for Appendix A thereof Amended Appendix A which is attached hereto and by this reference made a part hereof.
2. In all other respects, Decision 87182 shall remain in full force and effect.

The effective date of this order is the date hereof.

Dated at San Francisco, California, this 21st day of JUNE, 1977.

President
William Squawf
Vernon L. Sturgeon
Richard D. Clark

Commissioners

Commissioner Robert Batinovich, being necessarily absent, did not participate in the disposition of this proceeding.

AMENDED APPENDIX A
(Supersedes Appendix A of Decision 87182)

Carrier: Frank's Trucking

For: Continental Can Company, Inc.

Commodities: Plain, coated, lacquered, painted, lithographed or printed NOI tin mill black plate, tin plate, terne plate, or chrome-plated black plate; aluminum plate or sheet; and can ends, steel, tin or aluminum.

From: Pittsburg

Rates in Cents Per 100 Pounds

To:	San Jose	28
	San Leandro	24

Commodities: Plain coated, lacquered, painted, lithographed or printed NOI tin mill black plate, tin plate, terne plate, or chrome-plated black plate; aluminum plate or sheet; and can ends, steel, tin or aluminum (moving in straight shipments).

From: Pittsburg

Rates in Cents Per 100 Pounds

To:	Sacramento	35
	Lodi	25

For: Del Monte Corporation

Commodities: Plain, coated, lacquered, painted, lithographed or printed NOI tin mill black plate, tin plate, terne plate or chrome-plated black plate, in coils, in packages, or on platforms or skids.

From: Pittsburg

Rate in Cents Per 100 Pounds

To:	Oakland	24
-----	---------	----

Conditions:

1. Each shipment shall be two (2) truckloads, minimum weight shall be 96,000 pounds per shipment; more than one shipment per day may be shipped.

AMENDED APPENDIX A
(Supersedes Appendix A of Decision 87182)

2. Shipments shall be power-loaded by shipper and power-unloaded by consignee at no expense to carrier.
3. Except as herein noted, shipments may be a mix of any of the above commodities.
4. There shall be no split-delivery shipments under these rates.
5. If shipper or a receiver fails to load or unload within one hour of the scheduled time or the actual arrival time, whichever time is later, shipper shall pay a detention charge of \$10.00 per hour based on one quarter hour increments or any fraction thereof.
6. Freight charges shall be prepaid by Continental Can Company, Inc. or paid by Del Monte Corporation, as the case may be.
7. Applicant has indicated that subhaulers will be engaged. If subhaulers are employed they shall be paid not less than 85 percent of the rates authorized herein.
8. In all other respects, the rates and rules in Minimum Rate Tariff 2 shall apply.

(END OF AMENDED APPENDIX A)